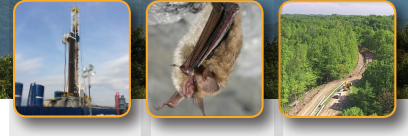




# Oil & Gas Coalition Multi-State Habitat Conservation Plan

SCOPING FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT



## Endangered Species Act and Incidental Take Permits

Section 9 of the federal Endangered Species Act prohibits “take” of federally-listed fish and wildlife.

- Take means to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct” (16 U.S.C. 1532(19)).

The U.S. Fish and Wildlife Service (Service) may issue permits to authorize “incidental take” of listed fish and wildlife species under Section 10(a) of the Endangered Species Act. Incidental take is defined by the Endangered Species Act as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. The Service may issue an incidental take permit provided the following criteria are met:

The taking will be incidental;

- The applicant will, to the maximum extent practicable, minimize and mitigate the impact of such taking;
- The applicant will develop a proposed Habitat Conservation Plan and ensure that adequate funding for the plan will be provided;
- The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and
- The applicant will carry out any other measures as required by the Secretary of the Interior.



Eastern small-footed bat Credit: Gary Peeples/USFWS



Tri-Colored bat Credit: Gary Peeples/USFWS



Little brown bat Credit: Moriarty Marvin/USFWS



Indiana bat Credit: Susi von Oettingen/USFWS



Northern long-eared bat Credit: Al Hicks/USFWS